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7 Attorneys for Defendants DIN TAI FUNG
RESTAURANT and INC., DIN TAI
8 FUNG (SF) RESTAURANT, LLC

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

11
12 JUANA GARCIA, individually and
13 acting on behalf of a class of similarly
situated individuals, and representing
14 the State of California pursuant to the
California Labor Code Private
Attorneys General Act,

15 Plaintiff,

16 v.

17 DIN TAI FUNG RESTAURANT,
18 INC., DIN TAI FUNG (SF)
RESTAURANT, LLC, SELENA
19 SOTO, and ANTONIO (LNU)
individually; and DOES 1 through 40,
20 inclusive,

21 Defendants.

Case No. 5:20-cv-02919-BLF

**STIPULATION AND ORDER
EXTENDING TIME WITHIN
WHICH TO FILE A RESPONSIVE
PLEADING**

Courtroom: 3

Hon. Beth Labson Freeman

22
23 COME NOW plaintiff JUANA GARCIA ("Plaintiff") and defendant SELENA SOTO
24 ("defendant Soto") and enter into the following stipulation:

25 WHEREAS defendant Soto's responsive pleading to Plaintiff's complaint is due July 29,
26 2020; and
27

28 WHEREAS the complaint is unusually complex; and

1 WHEREAS there has been one previous extension of time as to this defendant; and
 2 WHEREAS counsel met and conferred regarding the potential dismissal of defendant Soto;
 3 WHEREAS on July 24, 2020, counsel for Plaintiff informed counsel for Defendant of
 4 Plaintiff's unwillingness to voluntarily dismiss defendant Soto;
 5 WHEREAS defendant Soto asked for a brief extension of time to file a responsive
 6 pleading to provide defendant with sufficient time to prepare her motion to dismiss; and
 7 WHEREAS a short extension of time within which to file a responsive pleading will not
 8 prejudice Plaintiff;
 9 WHEREAS counsel for the Plaintiff has agreed to provide defendant Soto with a 7 day
 10 extension of time to file her responsive pleading;
 11 NOW THEREFORE the parties hereby stipulate that defendant Soto may have an
 12 extension of 7 days, to and including August 5, 2020, within which to file a responsive pleading to
 13 Plaintiff's complaint.
 14

15 DATED: July 29, 2020

MALLISON & MARTINEZ

17 By: /s/ Juan Gamboa
 18 Stan Mallison
 19 Hector R. Martinez
 20 Juan Gamboa
 Attorneys for Plaintiff JUANA GARCIA

21 DATED: July 29, 2020

**MANNING & KASS
 ELLROD, RAMIREZ, TRESTER LLP**

24 By: /s/ Al M. De La Cruz
 25 Al M. De La Cruz
 26 Alina Sookasian
 27 Attorneys for Defendants DIN TAI FUNG
 28 RESTAURANT, INC., DIN TAI FUNG (SF)
 RESTAURANT, LLC, and ANGELA SOTO

ORDER

Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that defendant SELENA SOTO may have an extension of 7 days to and including August 5, 2020 within which to file a responsive pleading to Plaintiff's complaint.

DATED: ~~July 29, 2020~~
July 30, 2020

By: Beth Labson Freeman

Hon. Beth Labson Freeman